

LUD 5543.3 CONT (10027207)REMARKS

The foregoing amendment addresses the first new rejection.

The attached terminal disclaimer addresses the provisional double patenting rejection in view of 10/206,274.

Thus the new rejections are overcome.

Applicants do not agree with the statement:

“Applicant’s argument set forth in the Brief on Appeal, filed 6/22/05 and the examiner’s rebuttal are essentially the same of record.”

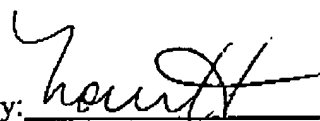
The Examiner offers no rebuttal beyond a statement that the arguments are not persuasive. Further, the brief on appeal does raise new arguments not addressed by the Examiner at all.

Those arguments are referred to again.

Should the Examiner maintain the rejections, the appeal will be reinstated.

Respectfully submitted,

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